

REMARKS

I. Status of the Claims

Claims 1-25 are pending in this application. Claims 24 and 25 are allowed.

Claims 1-12 are rejected and claims 13-23 are objected to.

Applicants respectfully acknowledge the Examiner's indication of allowable subject matter. Misnumbered claim 24 has been renumbered 25. The Examiner has indicated that claims 13-23 are allowable if rewritten in independent form. Applicants respectfully point out that claims 21-23 do not depend on claim 1 and therefore Applicants assume these claims are also allowed.

Claims 1, 21, 23, 24 and 25 are amended to more particularly describe what Applicants' regard as their invention. Support for the amended claims can be found generally in the originally filed claims and specification. Accordingly, no new matter has been added.

In addition, new claims 26, 27, and 28 have been added. Support for such claims can be found in original claims and in the specification at paragraph [0109]. No new matter has been added by the new claims.

II. Rejection under 35 U.S.C. § 102

The Examiner rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by Romanelli et al. (J. Med. Chem. 2001, 44) ("Romanelli") for the reasons disclosed at page 2 of the present Office Action. Applicants respectfully traverse.

According to the Examiner, "Romanelli et al. (J. Med. Chem.) teaches a para-phenylenediamine derivative of a formula c . . . which is identical to the claimed formula (lb), when in the reference's formula (c) . . ." See Office Action at 2. (citation omitted).

Applicants respectfully disagree. To anticipate a claim, each and every element of the claim must be found, either expressly or inherently described, in a single prior art reference. See M.P.E.P § 2131. The Examiner refers to compound 23(b) and formula c of Table 1 of *Romanelli* as identical to the claimed formula. However, compound 23(b) is not a compound of formula c. It is a compound of formula b, which does not fall within the scope of the claimed invention. Therefore, *Romanelli* does not teach a compound of the claimed invention.

Romanelli also does not teach or suggest to one of skill in the art that the compounds disclosed can be used in a composition for dyeing keratin fibers. Instead, *Romanelli* involves a study of structure-affinity relationships of a unique nicotinic ligand for potential use in drug development in neurodegenerative diseases. Thus, there is no motivation to use the compounds of *Romanelli* in a composition for dyeing human keratin fibers. Applicants, therefore, respectfully request withdrawal of these rejections.

CONCLUSION

Applicants therefore respectfully request reconsideration of this application in view of the foregoing amendments and remarks, and the timely allowance of the pending claims.

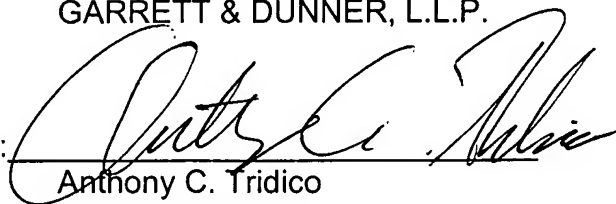
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 28, 2006

By:

A handwritten signature in black ink, appearing to read "Anthony C. Tridico", is written over a horizontal line.

Anthony C. Tridico
Reg. No. 45,958